

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION and

THE PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES, Attorney
General of the State of New York,

Plaintiffs,

v.

QUINCY BIOSCIENCE HOLDING
COMPANY, INC., a corporation;

QUINCY BIOSCIENCE, LLC, a limited
liability company;

PREVAGEN, INC., a corporation
d/b/a/ SUGAR RIVER SUPPLEMENTS;

QUINCY BIOSCIENCE
MANUFACTURING, LLC, a limited
liability company; and

MARK UNDERWOOD, individually and as
an officer of QUINCY BIOSCIENCE
HOLDING COMPANY, INC., QUINCY
BIOSCIENCE, LLC, and PREVAGEN,
INC.,

Defendants.

Case No. 1:17-cv-00124-LLS

**DECLARATION OF NOAH H.
POPP IN SUPPORT OF
RENEWED MOTION FOR
JUDGMENT AS A MATTER OF
LAW BY PEOPLE OF THE
STATE OF NEW YORK BY
LETITIA JAMES, ATTORNEY
GENERAL OF THE STATE OF
NEW YORK**

I, Noah H. Popp, am an Assistant Attorney General in the New York State Office of the Attorney General. I submit this Declaration in support of the renewed Motion for Judgment as a Matter of Law by People of the State of New York by Letitia James, Attorney General of the State of New York. I have personal knowledge of the following information.

1. Enclosed herewith is a flash drive containing video exhibits.
2. Exhibit A on the flash drive is a true and correct copy of Prevagen television commercial "Memory Improvement," PX-116.

3. Exhibit B on the flash drive is a true and correct copy of Prevagen television commercial “Jellyfish,” PX-217.

4. Exhibit C on the flash drive is a true and correct copy of Prevagen television commercial “Grandparents,” PX-584.

5. Exhibit D on the flash drive is a true and correct copy of Prevagen television commercial “Trisha,” PX-256.


6. Exhibit E on the flash drive is a true and correct copy of Prevagen television commercial “Jellyfish,” PX-235.

7. Exhibit F on the flash drive is a true and correct copy of Prevagen television commercial “Eileen,” JX-84.

8. Attached hereto as Exhibit G is a true and correct copy of the Declaration of Todd Olson, dated April 14, 2022, PX-587, along with its attachments.

I declare under penalty of perjury that the foregoing is true and correct.

Date: April 8, 2024

By: 

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CERTIFICATE OF SERVICE

I certify that on this 8th day of April 2024, I served via ECF, without Exhibits A through F, the foregoing Declaration of Noah H. Popp in Support of the Motion for Judgment as a Matter of Law by People of the State of New York by Letitia James, Attorney General of the State of New York.



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